

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
VERIZON HAWAII INC.)
For Approval of a Negotiated)
Interconnection Agreement with)
Verizon Avenue.)
_____)

DOCKET NO. 02-0190

DECISION AND ORDER NO. 19718

RECEIVED
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DIV OF CONSUMER ADVOCACY
PUBLIC UTILITIES DIVISION
CONSUMER AFFAIRS
STATE OF HAWAII

Filed Oct. 21, 2002
At 1:00 o'clock P.M.

Karen Higashi
Chief Clerk of the Commission

TEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii
K. Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of))
VERIZON HAWAII INC.)) Docket No. 02-0190
For Approval of a Negotiated)) Decision and Order No. 19718
Interconnection Agreement with))
Verizon Avenue.))
_____))

DECISION AND ORDER

I.

By application filed on July 25, 2002, VERIZON HAWAII INC. (Verizon Hawaii) seeks commission approval of an interconnection agreement negotiated with VERIZON AVENUE. Verizon Hawaii makes its request pursuant to 47 United States Code (U.S.C.) § 252(e)(1) and Hawaii Administrative Rules (HAR) § 6-80-54.

Copies of the application and agreement were served on the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy.

In accordance with 47 U.S.C. § 252(e), if a state commission does not act to approve or reject a negotiated interconnection agreement within 90 days after the agreement is submitted to the commission, "the agreement shall be deemed approved."¹ The 90th day deadline governing the commission's review is on or about October 23, 2002.

¹Accord HAR § 6-80-54(c).

II.

Verizon Hawaii is a corporation duly organized and existing under and by virtue of the laws of the State of Hawaii (State), and engaged in the provision of varied telecommunications services within its certificated territory in the State. Verizon Hawaii is an "incumbent local exchange carrier" as the term is defined in 47 U.S.C. § 252.

Verizon Avenue is a certificated facilities-based carrier and reseller of telecommunications services in the State.²

The scope of the agreement includes interconnection, resale, network elements, collocation, and other services. The agreement is deemed effective as of June 27, 2002, until June 26, 2004.

The interconnection agreement was consummated through voluntary negotiations between the parties, as contemplated by 47 U.S.C. § 252(a), and addresses interconnection services provided pursuant to 47 U.S.C. § 251. In our review of the agreement, we are governed by 47 U.S.C. § 252(e) and HAR § 6-80-54. These sections provide that we may reject a negotiated agreement only if:

- (1) The agreement, or any portion of the agreement, discriminates against a telecommunications carrier not a party to the agreement; or

²See Decision and Order No. 19273, filed on March 27, 2002, in Docket No. 01-0381.

- (2) The implementation of the agreement, or any portion of the agreement, is not consistent with the public interest, convenience, and necessity.

Upon review, we find that the interconnection agreement does not discriminate against other telecommunications carriers, and the implementation of the agreement is consistent with the public interest, convenience, and necessity. Accordingly, we conclude that the negotiated agreement should be approved.

III.

THE COMMISSION ORDERS:

1. The negotiated interconnection agreement between Verizon Hawaii Inc. and Verizon Avenue, submitted on July 25, 2002, is approved.
2. This docket is closed.

DONE at Honolulu, Hawaii this 21st day of October, 2002.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Wayne H. Kimura, Chairman

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

By (RECUSED)
Gregg J. Kinkley, Commissioner


Benedyne S. Stone
Commission Counsel

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 19718 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
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for Catherine Sakato

DATED: October 21, 2002